

The Nevada State Board of Dental Examiners

Providing information and education to Nevada's dental health care professionals and the citizens of the state of Nevada

MANAGING YOUR DENTAL PRACTICE Seek Advisory Opinion from NSBDE

Nevada State Board of Dental Examiners

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The Board of Dental Examiners accepted and approved the recommendations submitted by the Board's Legislative and Dental Practice Committee at its June 27th meeting regarding licensees and applicants for licensure seeking an advisory opinion (NAC 631.279) concerning contracts with management service organizations/individuals concerning possible violations of NRS 631.395(10) or NRS 631.3465(2)(3).

During the past several years, there have been entities and individuals establishing and managing dental practices sharing in fees received by the dentists, controlling or attempting to control services by the dentists, or owning the dental practice which is specifically prohibited in the Nevada Dental Practice Act and defined as the illegal practice of dentistry.

In the decision of the Committee, and accepted by the Board, the current laws concerning ownership, control, employment, association, and fee sharing in a dental practice are very clear to discern legislative intent. If anyone other than a Nevada licensed dentist owns, controls or shares in the fees received by a dentist or attempts to control the services offered by a dentist, that person is illegally practicing dentistry in Nevada and is guilty of a category D felony. The only exception is where there has been a death of a dentist and special provisions apply for up to two years to own the practice for the dentists' surviving spouse or family. This exemption is defined in NRS 631.385.

This does not mean that you can't hire someone to do your billing, accounting, legal work or other support services or even management services.

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It's Back to School Season! What you need to know about Continuing Education Credits...

It is mandatory for all active licensees in the state of Nevada to comply with continuing education required by the board and pursuant to NAC 631.173-631.177. As you may already know, continuing education credits (CE's) cannot be converted from one biennial (two year) license period to the next. Please be advised, the Board at a properly noticed meeting held December 6, 2007 adopted a change to the requirement for completing continuing education units pursuant to NAC 631.173. This revision requires dental licensees to complete forty (40) hours of continuing education during the biennial period for renewal of their license and dental hygiene licensees to complete thirty (30) hours of continuing education during the biennial period for the renewal of their license. These required hours cannot be converted from one biennial period to the next. *These revisions of the regulation are expected to be codified in 2008.* **ALL LICENSEES ACTIVE AND INACTIVE MUST COMPLETE THE "TERRORISM" COURSE within two years of their original licensing with an approved provider. Please note that THIS COURSE IS IN ADDITION TO YOUR BIENNIAL CONTINUING EDUCATION REQUIREMENTS.**

It is required that all licensees complete the continuing education section when they renew at their

biennial period; by noting the total hours certified, the licensee certifies completion. Also, all licensees must turn in copies of certificates of attendance for the courses they took for proof of completion. The board also must receive a certificate of attendance for the 'terrorism' course, as noted above; this course is in addition to your biennial continuing education requirements. **CERTIFICATES OF COURSE COMPLETION MUST BE ATTACHED TO YOUR RENEWAL IN ORDER FOR THIS FORM TO BE PROCESSED. FORMS MISSING SUCH ATTACHMENTS WILL BE RETURNED TO THE LICENSEE.** Please remember to list only those hours that have been completed and are being certified. Licensees should keep copies of their certificates for up to three years in case of audit (NAC 631.177(4)).

If you hold an active license and want to change your license to inactive during the renewal period, you are then required to take the biennial CE courses in the time that you are active. Once the status of your license has been changed you are no longer required to fulfill CE's until you update the status of your license to reactivate. For further questions on CE's and biennial/annual renewal you can contact NSBDE at (702) 486-7044. *(For those holding a limited license, annual CE requirements still apply.)*



Prescribing & Dispensing Controlled Substances

The laws for prescribing and dispensing in the state of Nevada are regulated by the State Board of Pharmacy. When a dentist is first applying to receive a Drug Enforcement Agency (DEA) license, he must begin by applying to the Board of Pharmacy for a controlled substance registration number. Once he receives that number, he can then provide it to the DEA with his application for DEA licensure.

If a licensed Nevada dentist already has a DEA license from another state, he can simply request a DEA transfer form directly from the Board of Pharmacy website at www.bop.nv.gov. The Board will then activate his controlled substance registration.

There are some dentists who want to dispense from their offices. Another application is required for a certificate

of registration to dispense controlled substances or dangerous drugs. A separate application is required for each site of practice where he wishes to dispense drugs.

You must be prepared for annual inspections, locked storage areas, numerical accounting procedures, detailed record keeping protocols and a host of other control measures. You also must allow a patient to receive a written prescription to be filled at another location of the patient's choosing. Regulations have been adopted and may be found at NAC 639.742 – 639.745.

Violations of these regulations are subject to disciplinary action which could involve action by the Board of Pharmacy as well as your dental licensing board, the Board of Dental Examiners.

Are You an Institute?

It is unprofessional conduct to use the term “institute” in the name of your private dental practice unless you are a research or educational entity engaged in public or semipublic activity. Specifics are found in NRS 631.3465(4).

NRS 631.3465 Fee for referral; association with person engaged in illegal practice or with unlicensed person; use of name “clinic,” “institute” or “referral services”; practice under name of retired dentist. The following acts, among others, constitute unprofessional conduct:

- 4. Using the name “clinic,” “institute,” “referral services” or other title or designation that may suggest a public or semipublic activity.*

Is There Really Fluoride in Our Water?

The 1999 Session of the Nevada Legislature passed a law that required southern Nevada to provide fluoridation in its public water system.

However, did you know that some water filtration systems deplete water of this fluoride? If you have patients with children, you should encourage them to check with the manufacturer of their filtration device to make sure that fluoride is not being removed from their water.

Also, many children who only drink bottled water may not be getting any fluoride — just food for thought.

Places Where Dental Hygienists Can Practice

A dental hygienist licensed in the state of Nevada, is not allowed to practice independently. He/she must work in one of the following environments:

- In the office of a licensed dentist
- In a clinic or in clinics within the public school system as an employee of the State Health Division, or in a State institution as an employee of that institution
- Within a hospital approved by the Board as an employee of the hospital where services are rendered only to patients of the hospital upon the authorization of a member of the dental staff
- In an accredited school of dental hygiene
- In other places if specified in a regulation adopted by the Board.

Of course, a dental hygienist may perform only services which are authorized by a licensed dentist in Nevada to a person who is a patient of the dentist who authorized the performance of those services. You can find exact language in NRS 631.310.

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It just means that no one is allowed to share in your fees received or place controls on what services you provide unless he is a licensed dentist in Nevada.

In addition, it is important to remember that dental hygienists and dental assistants must work under the supervision, authorization, and employment of a licensed dentist. An office manager is not allowed to authorize procedures to be performed by a dental hygienist or dental assistant. Specifics may be found in NRS 631.313, NAC 631.210, and NAC 631.220.

Board Action Information

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Voluntary Surrender
(no longer holds license)\
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